

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

THE MEADOWS UNIT OWNERS')	
ASSOCIATION, INC., on its own)	
behalf and on behalf of its members,)	
)	
Plaintiff,)	CIVIL ACTION FILE
)	NO.
v.)	
)	
ALLIED INSURANCE COMPANY)	
OF AMERICA,)	
)	
Defendant.)	
)	

NOTICE OF REMOVAL

Defendant Allied Insurance Company of America pursuant to 28 §§ 1332, 1441, and 1446, files this Notice of Removal from the State Court of Cobb County, showing the Court as follows:

1. A civil action was filed on April 10, 2023, by the above-named plaintiff in the State Court of Cobb County, Georgia, bearing Civil Action File Number 23102734.

2. Defendant was served with the above-described lawsuit on April 13, 2023. This notice is timely filed within 30 days of service pursuant to U.S.C § 1446(b).

3. Plaintiff The Meadows Unit Owners' Association, Inc. is incorporated under the laws of Georgia with its principal place of business in Georgia. Therefore, Plaintiff is a citizen of Georgia for the purposes of federal diversity jurisdiction.

4. Defendant Allied Insurance Company of America is incorporated under the laws of Ohio with its principal place of business in Iowa. Therefore, Defendant is a citizen of both Ohio and Iowa for the purposes of federal diversity jurisdiction.

5. Complete diversity of citizenship exists between the parties.

6. In their complaint, Plaintiff alleges economic damages of not less than \$1,200,000. Plaintiff further claims they are entitled to an additional fifty percent (50%) of that sum as a penalty as well as attorney's fees for Defendant's alleged bad-faith breach of the policy under O.C.G.A. § 33-4-6. Thus, the amount in controversy exceeds \$75,000.00, exclusive of interests and costs.

7. Due to the diversity of citizenship between Plaintiff and Defendant, and the amount in controversy, this Court has original jurisdiction pursuant to 28 U.S.C. § 1332(a)(1) such that removal is appropriate under 28 U.S.C. § 1441(a).

8. The Complaint and Summons and all filings served on Defendant are attached collectively hereto as Exhibit A.

9. Defendant will file a Notice of Filing of this Notice of Removal with the Clerk of the State Court of Cobb County, Georgia, with service on Plaintiff's counsel, as shown in Exhibit B.

WHEREFORE, this Notice of Removal having been timely and properly filed, this Court now has full jurisdiction over this case with no further proceedings in the State Court of Cobb County.

FREEMAN MATHIS & GARY, LLP

/s/ Philip W. Savrin

Philip W. Savrin

Georgia Bar No. 627836

psavrin@fmglaw.com

Adam P. Reichel

Georgia Bar No. 377812

adam.reichel@fmglaw.com

Counsel for Defendant

Allied Insurance Company of America

100 Galleria Parkway
Suite 1600
Atlanta, GA 30339-5948
(770) 818-0000 (telephone)
(770) 937-9960 (facsimile)

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed the foregoing **Notice of Removal** with the clerk of court using the CM/ECF system, which will automatically send electronic mail notification and a copy of such filing to counsel of record who are CM/ECF participants, addressed as follows:

Steven T. Sanders
Sanders & Beller, P.C.
P.O. Box 801088
Acworth, GA 30101
steven@sandersbeller.com

This the 12th day of May, 2023

FREEMAN MATHIS & GARY, LLP

/s/ Philip W. Savrin

Philip W. Savrin
Georgia Bar No. 627836
psavrin@fmglaw.com
Adam P. Reichel
Georgia Bar No. 377812
adam.reichel@fmglaw.com

*Counsel for Defendant
Allied Insurance Company of America*

100 Galleria Parkway
Suite 1600
Atlanta, GA 30339-5948
(770) 818-0000 (telephone)
(770) 937-9960 (facsimile)